

**COMMISSION CONFERENCE****OCTOBER 15, 2002**

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Present: Mayor Naugle  
Commissioners Hutchinson, Katz, Moore, and Smith

Also Present: City Manager, City Attorney, and City Clerk  
Sgt. Lumm and Sgt. Martin

**I-A – Federal Courthouse Rebuild/Expansion Program**

The City Manager stated that Vice-Mayor Hutchinson had been asked to head-up the effort in dealing with the location of the Federal Courthouse. Last week he and the Vice-Mayor had met with officials from GSA and a proposal would be presented which would allow the City to pursue an alternative site for the Courthouse. This would be a means whereby the Federal government would not have to go through their normal site selection process, if the City could provide an incentive by offering the beginnings of a site.

Commissioner Smith entered the meeting at approximately 1:32 p.m.

Commissioner Hutchinson stated that they had met with Tom Walker of GSA, Mike Roper, and the Project Manager who would be working on the three courthouses which would be located in West Palm, Miami, and Fort Lauderdale. She stated that she had asked why the original site, which was on the table a long time ago, would not work for this project. She was informed that the original proposal could work, a road would have to be closed, and property would have to be purchased to the tracks. She felt that this would be the best site for the Federal Courthouse. She explained that they wanted the City to give it to them, but when looking at the math and figuring out the benefits for the City, she realized that the City would be getting back approximately \$100 Million for a \$2 Million to \$3 Million investment. Also, the Hardy Park and South Side School Site would be taken off the table.

Commissioner Hutchinson explained that if the City did not do this, they would put together a site selection committee in January or February, and they would come in and take the site they want giving the City its appraised value, which would have to be split with another government entity that owned it. She suggested that the Commission move forward and allow the City Manager to meet with GSA and prepare a Memorandum of Understanding and move forward. Commissioner Hutchinson stated that she had spoken with the Judge and he was the person who suggested the alternate site.

Mayor Naugle stated that he appreciated Commissioner Hutchinson's leadership, hard work and time spent on this project. He stated that he still preferred the City to get compensated for the land, either now or when they sell their property at Third Avenue and Federal Highway. He explained that they could move forward with this proposal and focus at a later date on how to get the School Board to lower their price and find a user for the historic school.

Commissioner Hutchinson stated that her next step was how to move forward with regard to the use of the Land Preservation money for Hardy Park. The City Manager stated that the other part of this matter which needed to be concluded was the City's firm commitment to pursue the Land Preservation money in the amount of \$2 Million. He explained that at the last meeting of that board the matter of the Commission's intent had been brought up. He stated that he had sent back word that the Commission was still pursuing their original intent, and he wanted to reaffirm that the City still wanted that money for the acquisition of the South Side School site.

Mayor Naugle asked if the City Manager wanted a Resolution at tonight's meeting.

Commissioner Smith stated that at that meeting concern had been raised by the public, and he had asked the Board for the City to be very clear on their intentions, and he believed the Chair of the Board had sent a letter to the Commission. Commissioner Smith thought that possibly a letter should be sent to the Board, but a resolution could work.

The City Manager stated that they would ask the City Attorney's Office to help in preparing this. The City Attorney asked who from the City Manager's Office had worked on this in the past. The City Manager stated that Greg Kisela would be the best person to work on this.

Mayor Naugle asked who from staff was going to move forward with the Courthouse relocation. The City Manager stated that he and Mr. Bentley would be working on this matter.

Commissioner Smith stated that he felt they were great developments and he was happy that they could show the Federal government the wisdom in choosing an alternate site and the citizens felt it was a great idea. Some concerns had been raised that Hardy Park was not completely off the table and he wanted to reaffirm that Hardy Park was no longer being considered for this project. He further stated that the City should get some consideration for that land, but he did not want this to be a "stumbling block," and if this was said officially the Federal government might get concerned. He believed the value to the area in having a \$90 Million facility was well worth the donation of the land.

Mayor Naugle stated that he still wanted to give direction to the City Manager to attempt to recover something since it was an asset to the City. He did not believe they should do anything to jeopardize the project, but he did not feel it was fiscally responsible to just give the land away. He continued stating that he had some ideas on how the City might get compensated, but still have this looked upon as a donation.

Commissioner Katz stated that she agreed with the Mayor.

Commissioner Hutchinson stated that as part of the original transaction, a deal was made that they would go through the City's process, and the Commission and community would be a part of the design of the \$90 Million facility. She stated that they were aware of what the City was attempting to do in the redevelopment area and did not want to hinder it and offered some ideas regarding the open space and possible recreational amenities along the tracks, along with some pedestrian oriented activities towards the Andrews Avenue corridor.

Mayor Naugle stated that one of their goals was to make transit work and he believed this building would help support the public transportation concept. He believed the building would be ready in 7 or 8 years and he hoped some transit would be developed by then. He believed that in using the Third Avenue and Andrews Avenue corridors in moving people to the site would boost the idea of public transportation.

Commissioner Smith stated that part of his thought process in what the City would be obtaining from giving up this land was that perhaps the City's requests to the Federal government for transportation money could be reviewed and they would give monies for the program.

Commissioner Hutchinson stated that this was also a facility which paid its workers \$75 per month for parking and encouraged them to either pay for the parking or pocket the money and use public transportation.

Commissioner Moore agreed with the statements being made and wanted to congratulate Commissioner Hutchinson on her efforts, but stated he felt there could be some mitigation on how they could help the adjoining community with pedestrian friendly and mass transit corridors. He felt this would also have an economic impact on the housing in the area, as well as offering an opportunity for different uses for the M-1 zoning. He continued stating that he felt there also had to be a true consideration of the traffic patterns from the beginning so it would not have a negative impact on the Courthouse or surrounding properties.

Commissioner Moore also stated that the assemblage of the property that would be west of First Avenue would all be done by the Federal government, and asked if they were requesting the City to be involved. The City Manager stated they were not requesting any involvement by the City. He asked if they were

concerned about ground fills or any contamination and clean-up, and emphasized that all efforts would come from them. The City Manager stated the matter was reviewed and everyone understood the situation.

The City Manager stated that this property was within the CRA and they wanted to help the area to the north particularly with the capability of doing a design which would facilitate a pedestrian friendly structure. He continued stating that the property was comprised of approximately 6 acres and the positioning of the Courthouse could end up as an amenity in terms of open space. The City Manager stated that the CRA Advisory Board had already stepped forward and wanted to participate in the master planning so it could blend in with the CRA.

Commissioner Moore stated that he believed 4<sup>th</sup> Street would be tremendously impacted with traffic, and the citizens wanted to pay attention as to how that street could be mitigated from the traffic, and possibly tie in with City View and Regal Trace with landscaping and a greenway type of situation. Commissioner Moore asked what would happen with the increment if all the property which was now in the CRA was removed from the tax rolls where the City was looking for the increment to grow to allow them to have the impact that would be positive to bond projects in the future. He stated that what this would do was follow it down because the present tax roll would be wiped out. He explained that this should be part of the consideration and that was why he was weighing this a little more and trying to get some revenue for the property because when all this came off the tax roll, it could have a very negative impact on the CRA.

Mayor Naugle stated that the block to the north would be redeveloped with the Courthouse in mind, and possibly the property to the south which was owned by the City could get back on the tax rolls with a desirable development. He explained that it had been the City's long-range view to get this back on the tax rolls, but overall this would have a very positive public investment on the north side of town. He stated there were great trees on the property and most of the trees were in the buffer area.

Commissioner Hutchinson explained that all the trees would be saved except the ones in the back along First by the parking lot. Mayor Naugle suggested that possibly some of those trees could be relocated.

Commissioner Moore reminded everyone that Mr. Chancey had stated that if there was advance preparation in a project regarding the trees, they could begin preparing them for possible relocation. Commissioner Moore asked if a garage was being planned for the site. Commissioner Hutchinson stated there would only be surface parking for 98 cars and some would be located under ground.

Commissioner Smith felt there would be many new opportunities in regard to this project. He felt this would help them to have a governmental complex instead of a judicial one.

Commissioner Katz stated that the County was looking at redoing the County government building in the same general area and possibly everything could be together.

Mayor Naugle congratulated the neighborhood and stated they had "fought City Hall and the Federal Government" and won, but the work was not over and they needed to get the County to help with the purchase of the South Side School Site. They also needed to get the School Board to lower their price.

Commissioner Smith asked when there would be further developments by the Federal government in the area. The City Manager stated that today began the start of many events. He explained that once he entered into a Memorandum of Understanding saying they would provide them with 2 ½ acres, then they had reason to proceed and get budgetary authority for site acquisition. He stated that he did not want to discuss their schedule at this time, but he felt they would have a better indication and a more definitive schedule after signing the Memorandum of Understanding. He also thanked Doug Eagon for helping them to arrive at a solution.

**ACTION:** Conceptual approval of One-Stop Shop site for Federal Courthouse relocation, and walk-on resolution regarding the South Side School to be presented at regular meeting.

### **I-B – District III Code Committee**

The City Manager stated that the report in the package which had been distributed to the Commission summarized the work done by the Committee in District III.

Commissioner Hutchinson left the meeting at approximately 1:50 p.m. and returned at 1:51 p.m.

Commissioner Moore stated that this district had constantly been reported as a slum and blight district. The remedy which they had always tried to use was Code Enforcement. He explained that when he was first elected into office back in 1988, there was a Code team which made a difference regarding absentee property owners who were causing a great deal of blight in the community. Since that time there had been some gray areas on how the Code was being interpreted by the Legal Department and Code itself. He further stated that these were recommendations that the residents of the area wanted the Commission to adopt. Some were strong and one was very controversial, but they felt these would give the community a control over their living environment. He proceeded to introduce Ms. Suarez and Marsha Goldsby, members of the committee, for a presentation of their recommendations.

Marsha Goldsby proceeded to read the committee's recommendations and also gave an example of what was happening in their neighborhood. The recommendations were as follows:

1. Determine specific measures of a reasonable time for individual code infractions. She explained that the period of time a violator was given to remediate a violation was not specific in the Code and was left to the Code Inspector's discretion. The committee had suggested standardizing reasonable time for remediation in keeping with the severity of the infraction and in mind with Florida Statutes.
2. Remove references to occupied from the minimum Housing Code. This would require that all structures, whether occupied or not, at the time of the citation to be in compliance with the minimum Housing Code.
3. Address the Code regarding "Mom and Pop" Convenience Stores and bring them into compliance with safety and security requirements which are applied to all convenience stores under Section 10 of the Code Ordinance of the City of Fort Myers, and Florida Statutes which set limitations on the stores for hours of operation between 11:00 p.m. and 5:00 a.m. providing additional safety and security requirements.

Ms. Suarez stated that when she began researching a particular store in the area, which was opened from 9:00 a.m. until 10:00 p.m., she discovered that it did not fall into the definition of the City's ordinances or under the Florida Statutes due to its hours of operation. She suggested putting such stores in a category where they had to address all safety issues that a "convenience store" had to address. She further stated such items which had to be addressed was lighting, signage on the windows, security, and alarms.

Commissioner Moore stated that the "poverty issue" seems to crop up regarding these stores and why they did not meet the standard criteria. He proceeded to state that a Code Enforcement Officer in another City nearby explained that if a person did not meet the Code, they would have a way of dealing with the licensing of such a business to prevent them from operating. He further stated that the City never got a feeling as to how to prevent these people from operating. He asked that the Commission consider some type of methodology regarding this problem.

Commissioner Hutchinson asked if there was an opportunity to do this. The City Attorney replied it could be possible and explained further that there were some licensure issues they had some control over, and

if local codes were not met the State could revoke their license.

Commissioner Smith stated that it was his understanding that the State Statutes which governed the signage in windows, number of employees, and so on could be overruled by local laws. Commissioner Moore stated that he thought the local ordinances could be more restrictive, but not less restrictive than the state.

Mayor Naugle stated that he did not think there was pre-emption regarding grocery stores as there was on pawnshops. The City Attorney stated he was not sure and if there was a pre-emption they could not even regulate the subject.

Commissioner Katz stated that the recommendation should be that the City Attorney should review the issues and report back to the Commission on what could or could not be done to help solve these problems.

Marsha Goldsby continued stating that they had reviewed the Florida Statutes regarding convenience stores, and due to what was listed in those was the reason the Committee was making recommendations to the City Commission to have a specific ordinance for this matter. Ms. Suarez stated that she had copies of the Florida Statutes, the municipal laws, and the Fort Myers ordinance.

Marsha Goldsby proceeded to list the recommendations of the committee as follows:

4. Investigate the functional use of the Special Master as opposed to the Code Board. The Committee felt that the Special Master offered a more efficient manner in disposing the code cases and suggested the elimination of the Code Board and utilizing the Special Master process.
5. Increase the number of Code Enforcement Officers servicing the City. The Committee suggested that six additional officers be added to the Department in order to meet the needs of the area and be included in the 2002/2003 budget process. Ms. Goldsby stated that in certain areas the officers were overburdened.

Mayor Naugle asked if things like abandoned cars, opened septic tanks, trash, peeling paint or the matter of having permits for interior remodeling work were concerns of the Committee. Ms. Goldsby explained that the issue the neighborhood was concerned about were things that were visible every day throughout the area. She further explained they were concerned about structural damage, painting, vacant and abandoned homes and cars, and such items.

Commissioner Smith stated that it was his understanding that two Code Officers would be added to the Department for quality of life issues. The City Manager stated that the Commission had directed for this, but upon reviewing the tapes from the previous meeting, he discovered the Commission was more definitive. He proceeded to ask Ms. Outlaw how long the recruitment process would take for the positions.

Faye Outlaw stated that the discussion needed to be put into context. She explained that the two building and inspection positions were scheduled to be filled, and the Commission asked for the positions for recruitment to be transferred to Code Inspectors and this had to be reviewed from a process standpoint.

Commissioner Smith asked if all this could be accomplished by November 15, 2002. Ms. Outlaw stated that was not possible because an internal review had to be done regarding the positions and then discussion brought back to the Commission. Commissioner Smith stated that he did not understand why this had to be discussed and reviewed since it was already known what the positions entailed. Ms. Outlaw explained they were existing building inspector positions, as opposed to Code Inspectors and a process had to be followed. The City Manager stated it was an administrative problem.

Commissioner Smith hoped the City would not delay in filling those positions because people's quality of life was at stake.

Ms. Suarez stated that recently areas were annexed in the Southwest and asked if there were additional Code Officers for those neighborhoods.

The City Manager stated that when the estimates were done regarding servicing the new annexed areas, they received authorization from the Commission to hire the additional people that would be needed to provide the necessary services to those areas. He believed that one additional person was hired.

Mayor Naugle stated they were also interested in code inspectors and not building inspectors. Commissioner Smith reiterated that was what the area residents wanted. He emphasized that the City Manager needed to move quickly on solving those issues.

Marsha Goldsby continued listing the Committee's recommendations as follows:

6. Research and apply a license program for rental housing similar to the one in place in Lauderdale Lakes. City-wide rental properties appear to provide significant code violations. She emphasized that Section 8 rentals do not maintain those properties.

(Note: The following discussion was transcribed from summary notes due to audio/visual equipment failure.)

Mayor Naugle stated that Lauderdale Lakes did include single-family homes. Ms. Goldsby stated that the areas involved in developing this policy were different. Some were comprised of multi-units, as well as single-family homes. She emphasized that the areas which had a large number of multi-units had ongoing issues and most were owned by absentee landlords. She also explained that in some homes, rooms had been illegally partitioned and were rented separately, thereby creating a parking problem at that property.

Commissioner Moore stated that he was glad that Ms. Goldsby had clarified that multi-units and single-family homes were involved in this matter. The Committee also suggested that the individual requiring or generating the cost for the inspection pay for it through the licensing, and that money could then be used to hire additional inspectors. He believed if automatic inspections were done of rentals units, it would save the community a lot of strife. He reiterated that it was ridiculous how many complaints were received in the community regarding the lack of maintenance at the properties.

Commissioner Smith left the meeting at approximately 2:18 p.m. and returned at 2:19 p.m.

Mayor Naugle stated that presently occupational licenses were being issued for buildings with 3 - 4 units and inspections were also being done. Lori Milano explained that the Fire Department inspected those buildings with four units or more. Mayor Naugle also stated that the inspections included condominiums and single-family homes which were rented. Commissioner Hutchinson stated that these inspections were done by the Fire Department, but not by Code Enforcement Officers. Commissioner Moore believed that the inspections should be done by Code Enforcement on a routine basis. Mayor Naugle agreed but stated that Fire Inspectors were to refer problems to Code Enforcement so multiple inspections would not be occurring. Commissioner Moore felt that since there were presently numerous problems, multiple inspections should take place until the issues were resolved. He stated that these problems were causing a decrease in property values in the area.

Commissioner Smith asked if the Code Enforcement Officers should be the ones citing the properties. Commissioner Moore confirmed and stated that in one month District III had over 7,000 Code violations. Commissioner Smith reiterated that the Code Enforcement Office should hire personnel to do the necessary inspections. Commissioner Moore emphasized that the inspectors needed to do an internal



visual inspection regarding plumbing, electrical, damaged ceilings and other similar issues. Commissioner Smith stated that he did not have much faith in the Code Enforcement Office in relation to such issues.

Commissioner Moore stated that his greatest concern was for the residents of the area because many people did maintain their properties. Commissioner Smith reiterated that many of the inspectors got into the little details of things and didn't address the major issues. Commissioner Moore emphasized that inspections needed to be done internally and disciplines needed to be set by Code Enforcement. Commissioner Smith suggested that possibly an outside firm could do such inspections. He reiterated that he had been asking for six years that priority items be addressed and so far nothing had been done. Commissioner Moore suggested that if these inspections were done timely, that they proceed with using another method for addressing those problems.

Mayor Naugle stated that according to Ms. Goldsby, Section 8 properties and single-family homes were not inspected, nor were illegal duplexes. Commissioner Moore stated that other inspections should be done on the properties, not only fire inspections, and felt that if those inspectors saw major violations at properties they would report them to Code Enforcement. Otis Latin, Fire Chief, explained that was their policy at the present time and they were working hand-in-hand with Code Enforcement.

Commissioner Moore reiterated that the present system was not working and they needed to check up on the landlords because the quality of life for the residents was not being maintained. He also stated that suggestions were being made by the Committee on how to resolve those problems because the same policies were in effect for over 20 years and they were not working.

Commissioner Smith stated that if they guaranteed that annual inspections would be done by Code Enforcement for the units and internal negative issues addressed, he would agree.

Mayor Naugle reiterated that life/safety issues were not being addressed so it was important that quality of life matters be resolved for the residents. Commissioner Katz suggested that the two departments could perform their inspections together. Mayor Naugle suggested that people could be cross-trained for the inspections and no double billing would occur. Commissioner Smith reiterated that if the external issues were addressed, many slum landlords would leave the City. Commissioner Moore stated that it was also important that the inspections be done internally.

Lori Milano stated that they were working closely with the Fire Department. Ms. Milano explained that the Fire Inspectors visited the buildings annually and were attempting to catch up on safety issues. She reiterated that they attempted to address the top five priorities of the Commission every month, and acknowledged that many complaints were received regarding living conditions. Commissioner Smith suggested that more personnel were needed to do the inspections. Ms. Milano stated that it would be impossible to inspect all the properties on an annual basis. Commissioner Smith asked how general complaints were handled. Ms. Milano stated that they tried to get into the building. Commissioner Smith suggested that the process be accelerated regarding the complaints.

Mayor Naugle asked about the procedure that would be used if a tenant refused to let an inspector inside. The City Attorney explained that he was not sure the City had the right to enter the structure. He further explained that complexes of four or more units were inspected annually according to the Code, and he did not believe the Code could be changed to permit entrance into a building because of a complaint. Mayor Naugle suggested that buildings could be chosen randomly for inspections in areas where there were massive problems. The City Attorney stated that the landlord would have to let the inspector inside.

Commissioner Moore emphasized that the committee would accept any and all input because their goal was to have all residents live with dignity and pride. Commissioner Smith asked if they were proposing the creation of a task force. Commissioner Moore agreed that would be a good idea and the Ad Hoc Committee could provide recommendations and input.

Ms. Goldsby stated that cities with "zero" tolerance for such problems looked better and provided a better quality of life for the residents, but the City of Fort Lauderdale was too lenient. Ms. Goldsby continued explaining that the ordinance needed to be changed prohibiting these things from happening. Commissioner Hutchinson asked if Section 8 housing caused most of the problems. Commissioner Moore confirmed and stated that it appeared there was selective enforcement, and suggested that a seal of approval be given to properties.

Ms. Goldsby continued with the Committee's recommendations once again as follows:

7. It was suggested that a Neighborhood Nuisance Board be created and time limits of six months be made a condition on the violation with only one possible six month extension permitted to repair the problems.
8. A suggestion was made that the foreclosure process be accelerated and the City be more aggressive in enforcing its policies.

Rocky Rodriguez stated that physical inspections of Section 8 properties should be made before tenants moved out, and suggested the inspectors work more closely with HUD and the Housing Authority. Mayor Naugle agreed and felt that follow-up inspections could be done before properties were rented and again after six months.

Ms. Milano explained that Section 8 properties had very minimal standards and those standards should be updated.

Ms. Suarez explained that landlords instructed tenants not to permit Code Inspectors inside the buildings or they would be evicted from the property.

Gerry Cooper stated that he agreed with Commissioner Moore and stated that landlords could pay licensing fees for inspections. He reminded everyone that there were 16 housing authorities in Broward County. Commissioner Moore stated the seal of approval would be a good idea. Mayor Naugle remarked that Section 8 was not done through the Housing authority, but a different agency. Mr. Cooper proceeded to give an analogy of a restaurant versus a barbecue station to make his point. Commissioner Moore agreed with Mr. Cooper, but stated that many residents were taxed because of people who did not follow the rules and a level playing field was necessary.

Commissioner Moore left the meeting at approximately 3:03 p.m. and returned at 3:04 p.m.

Ms. Goldsby stated that they needed to face reality regarding Section 8 properties and that many times they were approved to live in, but inspections were substandard.

Commissioner Moore thanked the Committee, Code Enforcement, Legal, and the research team for their hard work.

Ralph Dearing stated that he was also a landlord and agreed there was a problem with a small percentage of the landlords, and that certain issues would arise regarding the inspection process which would have to be considered. He believed that a privacy issue would be involved with the tenants and granting permission to enter their units. He asked if they would waste time and money by sending inspectors to properties that had no problems. He reiterated that landlords who owned four units or more were licensed by the City. If deplorable living conditions existed, the tenant had the option to contact the Code Enforcement Office or the Building Code Department or other organizations in the City, including the Police Department. Therefore, a process was in existence at this time and that the Department of Business and Professional Regulations did numerous inspections of rental properties annually. He felt doing an inspection would be redundant and placed an unfair tax on the landlords.

(Note: The above discussion was transcribed from summary notes due to audio/visual equipment failure. From this point forward, equipment was repaired and working correctly.)

Commissioner Smith suggested that research be done to make it illegal to board up a home for indefinite periods of time and asked the City Attorney to report back to the Commission.

Commissioner Smith stated that about four years ago he had asked for a list of Code violations and liens for the City, and one house on N.W. 3<sup>rd</sup> was valued at \$47,000 and liens on the property totaled \$2.5Million. Therefore, many times the code liens were far greater than the value of the property and the City was not first in line in the collection process. If foreclosure took place, the City used their resources and the banks profited. He suggested that a policy be set up that the City could live with on this matter.

Commissioner Smith felt that a separate item was needed regarding Item 8. Staff would work on this matter. The City Attorney stated that a small task force had been formed because there were hundreds of liens on properties and they would attempt to set up an effective system. He suggested that possibly the nuisance matters could be done through the CRA because it could be a better instrument to accomplish this and community block grant money would be available.

Commissioner Moore replied that the real issue was Item 7.

Commissioner Katz suggested the Committee discuss the possibility of the Code Enforcement officer being able to write a ticket on the spot, but an ordinance change would be needed. Other cities enforced this type of policy and she felt it was worth looking into.

Mayor Naugle asked the City Attorney to research this matter.

Commissioner Hutchinson stated that she agreed and the rules needed to be followed.

**ACTION:** Report on Code Inspector positions to be provided.

**ACTION:** Mayor Naugle felt that Items 1, 2 and 3 could be taken care of by the City Attorney's Office and changes could be made and presented to the Commission. It was suggested that further discussions be held regarding Item 4. Item 5 was budgeted for this year already. Commissioner Moore suggested that if two building inspectors were budgeted for, they could change that and have three code inspectors instead and monies could be transferred. It was suggested in a previous meeting by the City Manager that it was necessary to have the Building Inspectors. The City Manager would bring back a report to the Commission. In regard to Item 6, a committee would be appointed and each Commissioner would recommend two individuals. Commissioner Smith suggested in regard to Item 7 that the City Nuisance Abatement Board broaden their scope of services. Commissioner Moore explained that regarding Item 7 the committee suggested that nuisance abatement boards be community specific. Commissioner Hutchinson suggested this come back as part of the Committee's recommendation.

### **I-C – Front Porch Florida, Fort Lauderdale-Dorsey Riverbend Revitalization Council**

Commissioner Moore, Mayor Naugle and Commissioner Hutchinson stated they did not have any problems with this matter.

Commissioner Katz stated that the problem was that these funds were originally for a community liaison position, but now they were asking for furnishings and the like. She felt taking \$10,000 to pay for air conditioning and furniture was not an appropriate use for the money. She felt that they could possibly getting donations or ask for help from the CVC.

Matt Walters, Chairman of the Revitalization Council, stated that due to state-wide cuts, they were viewing this money as administrative dollars. The monies would not be used for furniture, but for

administrative costs.

Commissioner Hutchinson left the meeting at approximately 3:15 p.m. and returned at 3:17 p.m.

**ACTION:** Approved.

**I-D – Smart Growth**

This item was temporarily tabled and the Commission proceeded to Item I-E.

**I-E – Minority Development and Empowerment Inc.**

Commissioner Smith stated that he did not feel that \$5,000 would be enough money and wanted this left opened in case they needed additional funds in the future. He felt this organization had helped many people, and had prospered and grown in a short period of time. Commissioner Katz stated that originally the money was to be for tutorial assistance and career development. Commissioner Smith stated that monies were still being spent for those items, but this particular money was to be for homeless and poverty stricken people.

Mayor Naugle was in favor of funding the \$5,000, but felt they should also tap into the HOPWA monies and other available funds.

**ACTION:** Approved.

A short recess was taken at 3:17 p.m. The City Commission reconvened at approximately 3:26 p.m.

**I-D – Smart Growth**

Commissioner Katz stated that in their quest for smart growth and new urbanism, Bernice Butler of the Collins Public Policy Institute had talked about bringing a speaker before the Commission who had put these concepts into use.

Commissioner Smith rejoined the meeting at approximately 3:27 p.m.

Jim Murley, FAU Catonese Center, stated that he had distributed some material regarding new urbanism. He briefly pointed out a new program which had begun for elected officials regarding design and would be conducted by Mayor Joe Reilly from Charleston.

Commissioner Moore left the meeting at approximately 3:29 p.m. and returned at 3:30 p.m.

Neisen Kasdin, former Mayor of Miami Beach and presiding Chair of the Southeast Florida District Council for the ULI, stated that this was a survey of four cities who had successfully made the transformation into great urban centers. He stated that the characteristics of Fort Lauderdale in many respects were similar to those four cities. He explained that he wanted to show how the role of public policy was used to guide the transformation of the urban centers.

Mr. Kasdin explained that a lot of what he was going to mention was already being done in the City such as residential units in Downtown, urban design, master plan, and transportation studies. Elements that were needed were already in the works and this was perhaps a way to do things holistically and tie everything together.

Mr. Kasdin stated that rebuilding and revitalizing a community started with a vision which would create a blueprint for policy making for the City. He explained that five essential characteristics were needed.

1. Preserving the character of the City.
2. Enhancing neighborhoods by providing physical improvements, necessary public services, and a liveable mix of housing and commerce.
3. Community empowerment to promote an effective and responsive delivery of services, resolutions and actions on neighborhood issues and opportunities.
4. Targeted economic development.
5. Reforming the bureaucracy and facilitating all sectors of the City's economy and helping the government to perform more efficiently and effectively.

Mr. Kasdin stated that if the City's plans and programs fall within this parameter, then they should move "full speed ahead." He proceeded to show various photographs of Miami Beach from the 1920's to the present time.

Mr. Kasdin stated the categories they would deal with would be: zoning, infrastructure investment, transportation improvements, neighborhood organizations, culture, public/private projects, and good design.

Mr. Kasdin stated that zoning required good urban design, historic protection and adaptive re-use. He explained that good urban design manifested itself in two ways. He proceeded to show photographs of a project in Bethesda, Maryland and stated that the public had the role to demand quality and good design for urban projects.

Mr. Kasdin stated that historic preservation was critical in Miami Beach. Regarding adaptive re-use, he stated that as cities evolved, the regulations didn't necessarily apply and could hinder the revitalization of a community.

Mr. Kasdin explained that infrastructure was important and there was a need to make streets and public spaces attractive for pedestrians. He stated that older cities that were revitalizing had to move people around without using cars. Various transportation improvements had to be researched and implemented. He continued to explain some transportation systems and how they affected their cities. He stated that a large commitment was necessary in order to encourage people to use the systems. Mayor Naugle stated that an incentive for using mass transportation would be to avoid paying high parking fees.

Commissioner Smith asked if Miami's operating budget was subsidized by the Federal government. Mr. Kasdin confirmed and stated there were federal and county funds, along with some state funds.

Mr. Kasdin proceeded to show the Miracle Mile. Mayor Naugle asked if it was taxing. Mr. Kasdin stated he believed it was a taxing district. Mayor Naugle gave as an example if one had a 2 Mil tax, there would be a self-governing system where the business people decided how they would invest their money. Mr. Kasdin explained there could be infinite combinations on how the systems could be developed, some were done through taxing and contributions from the property owners and some came from the City governments, or both. It could be possible that the street association would be responsible for all services and sanitation and relieve the City of such responsibilities and supplemental services.

Mr. Kasdin stated that Miami Beach became a cultural mecca. He further stated that Fort Lauderdale had a wealth of culture at its disposal. He proceeded to show photographs of Miami Beach institutions. Through CVB money they donated to the Art Center of South Florida, they created an artists colony on Lincoln Road.

Mr. Kasdin further stated that public/private projects were catalyst projects which could play a role in the revitalization of a community. As an example he stated that the Loew's Hotel was successful in regard to property tax returns and resort tax returns, but a rain check of \$2 Million was also received in the first year.

Mayor Naugle stated that in Miami Beach they received the tourist tax directly without it going through the County.

Mr. Kasdin stated that the St. Moritz Hotel which was a historic hotel was now a part of the Loew's Hotel, and they complemented one another. Commissioner Hutchinson asked if any demolition was allowed regarding the old hotel. Mr. Kasdin stated there had been no demolition.

Commissioner Moore left the meeting at approximately 3:57 p.m. and returned at 4:03 p.m.

Mr. Kasdin stated that the City of Miami Beach bought some property from FPL for \$1.4 Million and sold it to Publix for \$2.3 Million. This was the first two-level Publix which had ever been built. He explained that it was not only important to build the economic generators, parking, and the things which supported commerce and business, but it was important for the government to take a role and make it easier for individuals to live in the city.

Mr. Kasdin proceeded to show photographs of Bethesda, Maryland road project and explained how the City had a major contribution in allowing this project to happen. There were 1,000 parking spaces constructed to make this a feasible project.

Mr. Kasdin then showed photographs of Coral Gables and the old bus terminal which had been turned into city residences and retail with all parking being hidden. He then proceeded to show photographs of Evanston, Illinois and Church Street Station. This was an eyesore near the railroad tracks before the City spent \$20 Million to revitalize the area. An art deco area was developed with restaurants, movie theaters, and a food market. Mr. Kasdin stated that it was important for a city to make sure that progress was well designed whether it was public or private.

Mr. Kasdin stated that projects in Camden, New Jersey and East Saint Louis were challenges to the community. He reiterated that there were still areas near major metropolitan cities that were still in trouble and undeveloped and needed public investment and planning. He proceeded to end his presentation with pictures of various revitalized areas.

Mayor Naugle stated that a group of Mayors which were in "Flagler" cities were meeting with the FECRR along the coast and attempting to get the 100' ribbon of right-of-way from Jacksonville to Miami utilized once again for passenger traffic. He asked Mr. Kasdin if they were looking for a way to tap into this rail for Miami Beach.

Mr. Kasdin stated that Miami Beach is east of the railroad. He explained that when he left office, he had been hired as a subconsultant by the City of Miami. He further stated that this had been Johnny Winton's initiative and one of the recommendations from that study was to use the FEC corridor as a spine for a light-rail streetcar system. He explained that regarding transportation there was Tri-Rail which linked the three counties, but one of the missing links was a system that would tie-in the urban core neighborhoods. In that respect, that corridor was ideal for introducing a system of transportation which would tie together the urban core neighborhoods. He continued stating that what had been done on Miami Beach had preceded this concept by about two years, but it tied into the light rail system which was now a part of the City that served as a local service. He explained further that Europe had great designs for their transit systems. He believed this was a key element which should be researched.

Mayor Naugle asked what the tourist tax was used for which had been collected in Miami Beach. Mr. Kasdin replied that it was used for a variety of things. He explained that half of that tax was retained by the City in their Enterprise Fund and paid for a variety of city services, and the other half by virtue of an interlocal agreement with the Convention and Visitor Bureau was pledged to them. Recently, that amount had decreased to about 35% for the Visitor Bureau, and the resort tax for Miami Beach was instituted in the '60's. He thanked Commissioner Katz for inviting him to make this presentation and offered the

services of the Collins Center to the City.

Commissioner Katz stated that she felt this all tied together when talking about the Greenberg Study, new urbanism, and smart growth. Commissioner Hutchinson remarked that she really liked the business districts that were shown and how they were developed.

**ACTION:** None.

**I-F – Proposed Regulations Restricting Removal of Trees With Certain Height, Width, Age, History or Other Characteristics**

Mayor Naugle stated that discussions showed that criteria was to be developed so decisions could be made regarding the designation of trees.

The City Manager stated that they were suggesting to come back with parameters for this matter.

Commissioner Smith stated that this needed to be partially driven by the private sector and citizens in the industry. He further stated that he had asked Tom Chancey to attend today's meeting and help design criteria for the saving of trees.

Commissioner Moore stated that he welcomed the opportunity to have Mr. Chancey speak and had been very impressed with his presentation. He asked if Mr. Chancey could check the trees across the street that discussions had been held about.

Mayor Naugle explained that in their discussions on the Federal Courthouse concerns were raised about some older trees at the old City Hall. Commissioner Hutchinson stated there was one tree in particular they were concerned about saving. It was proposed that all existing trees would be saved, but the one on the west side of the building in the middle of the parking lot.

Tom Chancey stated that he had already been "scouting around" the City and had found a number of Mango trees which needed to be saved. He explained that there were a number of ordinances around the State which would be helpful in the preservation of trees, and the County was presently upgrading their ordinances. Mr. Chancey stated that any specific situation, such as this one, he was happy to assist in the matter.

Mayor Naugle stated that the Community Appearance Board had been doing awards for architecture and recently got involved in landscaping, and he proceeded to ask if they could be helpful in creating a committee or was the work more specialized. Commissioner Smith felt the work was more specialized and more technical in nature. He suggested that staff could provide what they felt was appropriate, then send it to the private industry to give them an opportunity to critique and review it, and then a blended version could be presented to the Commission. Commissioner Hutchinson suggested having industry and staff sit down together and work on the matter. The City Manager stated that could be a more efficient way to handle it.

Tom Chancey stated that he would be happy to work with staff on this matter. Commissioner Smith remarked that it was important to have this matter proceed quickly.

Cecelia Hollar, Director of Construction Services, stated that there was an existing ordinance which allowed the protection of trees based on unique characteristics, and she committed to the City Commission that they would use this in the best way they could while working with the industry in developing criteria for the further protection of trees.

Mr. Chancey stated that the area was presently in a drought and the City was allowing people to

transplant trees, and he was concerned a lot were dying. He explained that there were a lot of things in the Code which were beyond the capacity of City Inspectors to monitor, but he felt some changes could be made to help keep the trees alive.

**ACTION:** Staff to work with Tom Chancey on list of trees to be saved.

**I-G – Project 15245 - Riverland Park**

This matter was scheduled for discussion at 5:00 p.m. The Commission proceeded to the next item on the agenda.

**I-H – Performance Evaluations - City Manager and City Clerk**

Mayor Naugle remarked there were different ways to handle this matter. Commissioner Katz stated that she had not had time to discuss the matter with the City Manager or the City Clerk. Commissioner Moore suggested that this matter be on the agenda for the November 5<sup>th</sup> meeting. Mayor Naugle remarked the City Manager would not be available for that meeting and suggested the matter be discussed on November 19, 2002.

**ACTION:** Item was deferred until November 19, 2002.

**II-A – Parks General Obligation Bond (GOB) Projects - Quarterly Report for the Third Quarter of 2002 (July to September)**

Commissioner Hutchinson asked if trees were still being planted. The City Manager confirmed.

**ACTION:** Status report.

**II-B – Accelerated Capital Improvement Plan (CIP) Projects - Quarterly Report for the Third Quarter of 2002 (July to September)**

Commissioner Katz asked if the repairs to the restrooms at Bayview Park were coming out of the CIP.

Greg Kisela, Assistant City Manager, stated it was a combination of the Challenge Grant that was received for renovations. Commissioner Katz questioned this and felt there was some confusion regarding this matter. Mr. Kisela stated that he would check and see if additional CIP money was being used for the restrooms, but he thought it was all part of the overall Challenge Grant project with matches from the neighborhood and Little League.

Commissioner Smith asked for an update regarding the beach restrooms. Mr. Kisela stated that they were hoping to have them completed by the end of November. Commissioner Smith asked if there was to be a penalty if finished later. Mr. Kisela stated that he would check on the matter.

Commissioner Smith stated they had received a letter from Senator Geller asking if the City was interested in availing themselves of any historical grants. He asked if this could be used for the Swing Bridge. Mr. Kisela stated that they did apply for a FIND Grant and would check into the historical grants.

Commissioner Hutchinson asked for an update regarding Fire Station No. 3.

Fernando Vasquez, Acting Assistant City Engineer, stated that this was still in the permitting process, but the matter should be approved in the next few weeks.

Commissioner Hutchinson further asked about Fire Station No. 47.

Mr. Vasquez stated they had re-evaluated the available CIP Funds to accommodate for the present



requirements which were to increase the sleeping quarters and to hire additional staff. He explained they could rebuild the shell and core at the existing location, but they could not rebuild the bays because there were no additional funds for that project. Commissioner Hutchinson asked how much additional money was needed to rebuild the bays. Mr. Vasquez replied that in order to provide the proper amount of bays which were required, they needed a total amount of \$1.5 to \$1.7 Million. Mr. Kisela remarked that they presently had available \$500,000 to \$600,000. Commissioner Hutchinson remarked that this facility was in deplorable condition and she wanted this to be done correctly.

Chief Otis Latin stated that there would be a workshop in November and they would be able to present all options available. Commissioner Hutchinson remarked that they had annexed a large area, and if they were going to provide the services to those areas, they needed to proceed with this project.

**ACTION:** Further discussions would be held at the November 5, 2002 meeting.

### **III-B – Advisory Board Vacancies**

#### **Unsafe Structures and Housing Appeals Board**

Commissioner Katz appointed Don Winsett to the Unsafe Structure and Housing Appeals Board. Commissioner Hutchinson asked if the plumbing contractor, Patrick Kerney, was up on term limits. She was informed he was not, but was up for reappointment. Commissioner Hutchinson asked for Mr. Kerney to be reappointed. The Commission also agreed to reappoint Mr. Jim Rampe.

**Action:** Formal action to be taken at Regular Meeting.

### **IV - Commission Reports**

#### **Proprietary Purchases**

Commissioner Katz thanked Kirk Buffinton for producing a memorandum regarding proprietary purchases. She proceeded to ask if there was any way they could become non-proprietary for some of the items in the future.

Bud Bentley, Assistant City Manager, stated that most of the proprietary purchases were annual purchases such as supplies, equipment and licenses. For the most part depending on the market, copyrights and ownership, they would not see the secondary purchases become non-proprietary. Where possible, they did make such purchases, and he explained that presently they bid the maintenance of all PCs.

Mayor Naugle stated it was important that when proprietary software was purchased, they obtain a commitment regarding reasonable amounts to be spent for maintenance.

Mr. Bentley stated that they also checked about differential pricing.

Bruce Larkin, Director of Administrative Services, stated that the Mayor was correct in that it was important to look at the maintenance costs, and often times as part of the evaluation process in determining what product to purchase, they asked for maintenance costs for a five-year or longer period of time.

**Action:** None.

### Development Regulations

Commissioner Katz stated that another thing they needed to review was changing some of the laws so they could actually get what they desired, and not having developers dictate to them. She asked if the Planning and Zoning Board could review some possible changes to certain ordinances that would require developers to be more pedestrian friendly on ground levels.

Commissioner Hutchinson stated that it was a good idea, but she was concerned if they were moving forward with the Master Plan, how all these issues could be handled. She further commented that she was in favor of the pedestrian friendly suggestions and some of the challenges for parking in certain areas, but was not sure how the issues could be prioritized in regard to housing and parking.

Commissioner Smith stated that there might be a need to rewrite major items once the Master Plan was completed.

Commissioner Katz stated that she was concerned there would be a need to rewrite a lot of the ordinances and staff would once again get overloaded. Therefore, she thought that Planning and Zoning could begin reviewing those ordinances in context with the Master Plan and choose which ones might need rewording.

Cecelia Hollar, Construction Services Director, stated they were working on the Downtown study which would help them develop design guidelines, and then they wanted to workshop those in to the Code changes and present it to Planning and Zoning. She explained that they were hearing from the industry that they wanted them to be more performance based instead of regulatory, so she felt they needed to be more cautious in writing additional regulations.

Commissioner Hutchinson stated she was concerned so the City would not take direction against the final document as it related to the Master Plan. She further stated that nothing was presently happening in relation to the units.

Commissioner Katz wanted everyone to keep this in mind.

Mayor Naugle stated that matters which still went to DRC, compliance could still be gotten that way.

Ms. Hollar stated that they were fortunate to have in the Code provisions which pertained to enhancing pedestrian movement. Commissioner Katz stated that they could not demand that retail be included on the ground level, but they could still make it something people would be happy to pass by, and she felt this was their biggest challenge.

Mayor Naugle stated that in some cases where they needed permission for something else, the Commission could ask for this to be included in the project. He stated that if they saw something that could be implemented easily, possibly adjustments could be made without objections. Ms. Hollar stated they would keep their eyes opened regarding such matters.

**ACTION:** None.

### Economic Development Summit

Commissioner Katz stated that a lot of good things had been discussed at the Economic Development Summit. Now, they had to decide what the next step would be and how did they get there. She continued stating that they had to decide if they wanted to hire more staff and create a department or should this be done through a different entity entirely.

Mayor Naugle stated that the first step would be to receive the report so the Commission could review it, and then discuss implementation with the City Manager.

The City Manager stated that he would deliver the report within the next couple of weeks.

Mayor Naugle stated that the report would have to be approved by the City Commission.

Commissioner Katz emphasized that they needed to move quickly and that there had been great momentum at the meeting.

**ACTION:** Report to be presented to City Commission.

#### News Racks

Commissioner Smith stated that the newspaper boxes on the beach were in deplorable condition and should be removed.

The City Manager stated that the work had started regarding the boxes, and he had heard from Alan Forgea that he appreciated the City's efforts in this matter.

Commissioner Smith suggested that notices be sent out stating that the boxes which were in deplorable condition would be removed on November 1, 2002 if they had not been repaired and brought up to standards. Commissioner Moore stated that he thought there had been an ordinance regarding these racks. Mayor Naugle reported that due to the salt air, the boxes did not hold up and rusted. Commissioner Moore stated that if they began removing the boxes, there would possibly be a First Amendment problem.

**ACTION:** The City Attorney stated that he would check the wording of the ordinance. Commissioner Smith asked if the ordinance needed changed, then he was requesting that the language be rewritten.

#### Public Works/Engineering Projects

Commissioner Smith stated that he was still concerned that the Public Works projects were not getting done on time, and realized it was a staffing problem, but meantime 15<sup>th</sup> Avenue was way over due. Commissioner Hutchinson remarked that more staff was needed. She continued stating that she had been waiting for a LAP Agreement for SR 84 for many months.

The City Manager stated that he would report back to the Commission on this matter.

Commissioner Smith asked the City Manager to contact the residents on 15<sup>th</sup> Avenue and let them know when the groundbreaking would be.

**ACTION:** As discussed.

#### Las Olas Landscaping

Commissioner Smith stated that the landscaping was in terrible condition. The project had begun, but now it appeared things had come to a stop.

Greg Kisela stated that they would check on the status.

**ACTION:** As discussed.

Boat Ramp at SE 15<sup>th</sup> Street

Commissioner Hutchinson stated that if one drove to SE 15<sup>th</sup> Street and meet a friend with a boat, there was no place to park. She asked what the policy decision was regarding that boat ramp.

Mayor Naugle stated that parking was precious there and they recommended car pooling.

Commissioner Hutchinson stated that at night there were a lot of empty spaces and she could not park there. She suggested that possibly parking could be permitted after a certain time.

Mayor Naugle remarked that this had been discussed in the past when he was a member of the Marine Advisory Board and the area got very crowded especially during fishing season.

**ACTION:** Marine Advisory Board to review the parking policy at SE 15<sup>th</sup> boat ramp and make some recommendation.

Airport Runway Expansion - Clean Air Partnership

Commissioner Hutchinson stated that she had discussed the expansion at the Airport at the last meeting, and the fact that the County had hired the Clean Air Partnership to review the EIS once again. Recommendations were going to be made and she felt that this City needed someone outside of staff to review the recommendations that were going to be made.

The City Manager stated that he had spoken with Mr. Crouch and the City Attorney regarding what type of qualifications would be needed, and it was a collective opinion that they would need someone with technical expertise. Further discussions are going to be held regarding this matter.

Commissioner Smith stated that there were a limited number of specialists who deal with environmental issues in regard to expanding runways.

Commissioner Katz stated that she had been told that there were other ways of handling this besides hiring another consultant to review this problem. Commissioner Hutchinson remarked that she did not want the County telling them what was right for the City.

Mayor Naugle stated that other cities were hiring consultants to review this.

Commissioner Katz reiterated that the City was hiring another consultant to look at another consultant's study, and asked why the City could not work with the County Commissioners on this matter.

Commissioner Hutchinson stated that some of the County Commissioners did not want this project. She stated that she had been involved in this project for 14 years, and the County made their decision 14 years ago, and now they were backstroking. She continued stating that her constituents were greatly affected by this project, and she did not think they were "on board" as other cities were, and if the Partnership came back to the County with recommendations that would not be conducive to what Fort Lauderdale had signed, then they would be left standing "holding the bag."

The City Attorney stated that discussions were held and he had recommended that they did not need another lawyer. He felt the issue was the Environmental Impact Statement which involved two things. One was that Dr. Fishkin had found innumerable problems with the Environmental Impact Statement along with the EIS. he biggest threat was the environmental issue, and he felt they needed individuals to explain the environmental impacts.

Commissioner Hutchinson stated they needed to hire someone who could focus on what was best for

Fort Lauderdale.

Mayor Naugle stated that they needed to authorize an amount for this consultant. The City Attorney felt that \$50,000 would be sufficient.

Commissioner Katz asked how long they had to make a decision once the report had been reviewed. Commissioner Hutchinson explained that it was put off for 90 days in September, but she felt the recommendations would come forth before January. Commissioner Smith was in favor of hiring the consultant.

**ACTION:** City Attorney to report to the Commission on November 5, 2002 with recommendations, including a dollar amount.

Woodlawn Cemetery

Commissioner Moore thanked everyone for attending the ribbon cutting event.

**ACTION:** None.

Building Board-Up Report

Commissioner Moore reiterated that buildings had been boarded up repeatedly and then nothing happened.

Mayor Naugle stated that input was needed because this would be sensitive to historic properties also because property owners were doing demolition by neglect, and they needed to make sure no one took advantage of this regarding historic structures.

Commissioner Smith asked about the Kratenstein properties. Commissioner Moore stated that the report showed that more than 50% were in the northwest quadrant of the City. He urged the Commission to make the Code Committee appointments at the November meeting.

**ACTION:** Committee appointments to be made at November meeting.

Amistad

Commissioner Moore stated that the Amistad was going to arrive late this afternoon due to weather conditions.

**ACTION:** None.

Boat Show

Mayor Naugle stated that the largest economic event would take place at the end of this month and that was the International Boat Show.

**ACTION:** None.

African/American Research Library

Commissioner Moore stated that this library would open on October 26, 2002 and urged everyone to participate in the events.

**ACTION:** None.

United Way Car Wash

Mayor Naugle reminded everyone about the United Way car wash event.

**ACTION:** None.

Walk-As-One

The City Manager reminded everyone about the Walk-As-One scheduled for October 20, 2002 at 8:00 a.m. and that it would be followed by the Multi-Cultural Festival. This would all tie in with the "Together-As-One/Better-As-One" theme for the month of October.

**ACTION:** None.

One-Stop-Shop

Commissioner Smith asked if there were going to be further discussions regarding this matter. Commissioner Katz stated that she thought this would be discussed on tonight's agenda.

**ACTION:** None.

**I-G – Project 15245 - Riverland Park**

Commissioner Moore stated there were ambitious plans for building a southwest park known as Riverland. He further stated that the back-up information requested that this project be reviewed in two phases.

Joan Sheridan, member of the Southwest Coalition, stated that they were requesting that the Commission review opportunities to obtain funding for the Community Center. A meeting was held on April 15, 2002 where the City made a presentation. The community supported the request for funding of the shortfall, and she urged the Commission to look at alternative funding opportunities. She was aware that Block Grant money was awarded every year, but none was available this year, and possibly they could pro-rate the funding.

Mayor Naugle stated that for the sake of argument the City's population increased approximately 10% because of the annexation and this could possibly make them more eligible for CDBG funds, and he asked if this could be bonded over 10 years so that the project could move forward.

The City Manager stated that such alternatives could be reviewed, but the challenge with CDBG funds was the transition period. He did not feel this could be done immediately because they were not sure about the exact amount.

Commissioner Katz stated that \$1.8 Million was needed for Phase II.

Greg Kisela stated that whatever funds remained from Phase I which would be approximately \$100,000 to \$125,000, they would still need approximately \$1.7 Million.

Commissioner Katz stated that it appeared the best way to handle this matter was to proceed with Phase I and look at alternative funding for Phase II. She felt the amount was too large to take out of the City's present budget.

Commissioner Hutchinson stated that in talking with Greg Kisela about creating funding, there were going to be two public safety workshops scheduled and the needs of the Police and Fire Departments were great. She continued stating that these funds might have to be gotten through public safety bonds. She

reiterated that there might be some creative ways to fund this using some CIP money for Station No. 47, and if possible do a public safety bond and use the money ahead of time and pay themselves back.

Mayor Naugle stated that there have been recent restrictions from the School Board in using their properties. A community center meeting place was really needed. Commissioner Hutchinson stated that this could be an opportunity to build the new Fire Station and the Community Center together. Mayor Naugle remarked that this could be a good idea and 24-hour surveillance would be available in a park. Commissioner Hutchinson reiterated that this was being done across the country.

Commissioner Moore stated he had no problems in exploring creating methods for funding, but he wanted to agree that since a legislative session was coming up, he hoped the community could proceed while funding was being researched. He felt it was important to proceed with Phase I because the community was in need for a community center. He felt the water park was a good idea, but it was not a necessity. Commissioner Moore also stated that in Warfield there were no dividers to allow a break-out, and if the community had a meeting they wanted to be able to separate themselves from the children.

Commissioner Hutchinson stated that work had been done regarding the acoustics at Croissant Park, and the same work should be done for Warfield.

Commissioner Smith suggested that the Community Center be a priority and look for alternative funding.

Mrs. Sheridan reiterated that the Community Center was the most important factor.

Dr. Elizabeth Hayes, CCNA Committee, stated that they would be making a recommendation to the Commission for the company that would be selected to begin Phase I. She stated that it was important to deal with the noise issue during construction.

Roger Suarez asked if the One-Stop Shop was on hold, and if so, could those funds be put towards this project.

Commissioner Moore stated that discussions were held in April and they were informed that HUD suggested they be paid back \$300,000 if the Lincoln Park site was to be used for another use. At that time, he requested and the Commission agreed to approve the \$300,000 for Riverland Park.

Commissioner Smith asked if any other bond refinancing could be done. The City Manager stated they were going to make a recommendation to the Commission that they refinance some of the excise bonds. Commissioner Smith asked about the park bonds. Damon Adams stated there was a 97 bond issue which was on the agenda for tonight's Commission meeting. Commissioner Smith asked how those funds were going to be spent. Mr. Adams explained they would refund the outstanding bonds. He stated there was no new money.

**ACTION:** Report to be provided in 30 days.

#### **OB - The Amistad**

The City Manager reiterated that due to high winds the Amistad was running late and suggested that they forego welcoming the ship until tomorrow. It was agreed.

There being no further business to come before the Commission, the meeting was adjourned at 5:13 p.m.

**Note: A mechanical recording has been made of the foregoing proceedings of which these minutes are a part, and is on file in the office of the City Clerk for a period of two years.**